

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS

ALIANZA AMERICAS, YANET DOE, PABLO DOE, and
JESUS DOE, on behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

RONALD D. DESANTIS, Governor of Florida, in his
personal capacity; LAWRENCE A. KEEFE, Florida Public
Safety Czar, in his personal capacity; JAMES UTHMEIER,
Chief of Staff to Florida Governor, in his personal capacity;
JAMES MONTGOMERIE; PERLA HUERTA; and
VERTOL SYSTEMS COMPANY, INC.,

Defendants.

Civil Action No. 1:22-cv-11550-ADB

REQUEST FOR ORAL ARGUMENT

**STATE DEFENDANTS' MOTION TO DISMISS
PLAINTIFFS' SECOND AMENDED COMPLAINT**

Pursuant to Federal Rules of Civil Procedure 12(b)(1), (2), (3), and (6), State Defendants—Governor Ronald D. DeSantis, Lawrence A. Keefe, and James Uthmeier—respectfully move this Honorable Court to dismiss Plaintiffs' Second Amended Complaint (ECF Doc. 137) in its entirety. In support, State Defendants rely upon the accompanying Memorandum of Law and supporting exhibits A and B. As explained in more detail in the accompanying Memorandum of Law, this Court, *inter alia*, lacks personal jurisdiction over State Defendants and subject-matter jurisdiction over Plaintiffs' claims; this Court is an improper venue; and Plaintiffs' Second Amended Complaint fails to state a claim against any State Defendant.

WHEREFORE, Defendants respectfully request that the Court grant their motion to dismiss the Second Amended Complaint in its entirety.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), State Defendants respectfully request oral argument for this motion. State Defendants believe that oral argument may assist the Court.

Dated: September 9, 2024

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Respectfully submitted,

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CERTIFICATION PURSUANT TO LOCAL RULE 7.1(a)(2)

In accordance with Local Rule 7.1(a)(2), I hereby certify that counsel for State Defendants conferred and attempted in good faith to resolve or narrow the issues set forth in this motion with Plaintiffs' counsel, and Plaintiffs' counsel opposed this motion.

Dated: September 9, 2024

s/ Bryan Weir

CERTIFICATE OF SERVICE

I hereby certify that I filed this document through the Court's ECF system on September 9, 2024, which will therefore automatically be sent electronically to all counsel of record via the CM/ECF system.

Dated: September 9, 2024

s/ Bryan Weir